



State Superintendent's Duties

This table outlines the duties of the State Superintendent. Search the Montana Code Annotated (www.opi.state.mt.us/masterMCASearch.html) to learn more about these duties. In the MCA search box type the citation number and place quotation marks around the citation number. Place a check mark in the most recent session. Begin search.

Duty	Citation	OPI Division of Program
Establish and maintain a library of visual, aural, and other educational medial	20-7-201, MCA &20-3-106(20), MCA	(Contract with U of M - Western)
Recommend standards of accreditation to BPE and evaluate compliance with standards and recommend accreditation status of every school to BPE	20-3-106(18), MCA	Accreditation Division
Assist schools with planning, implementation, operation and eval. of instruction through in service and indiv. consultation	20-7-114, MCA	Accreditation Division
Work in all practical & possible ways for welfare of public ed.	20-3-105(11), MCA	All Divisions/Units
Authorize use of federal money for support of an interlocal cooperative agreement	20-3-106(15), MCA	All Federal programs
Review School building plans and specifications	20-3-106(26), MCA	Chief of Staff or designee
Adopt policies as executive officer for K-12 career and vocational/technical education	20-3-106(22), MCA	Career Training and Adult Education Division
Appoint members to a committee to review the 5 yr state plan for vocational/technical education and meet with the Board of Regents and the committee 4 times a year	20-7-330, MCA	Career Training and Adult Education Division
Develop a state plan for development of K-12 C&VT Ed	20-7-301(1), MCA	Career Training and Adult Education Division
Develop standards for courses and programs	20-7-301(2), MCA	
Develop a review process to establish and delete programs	20-7-301(3), MCA	
Develop instructor qualifications	20-7-301(4), MCA	
Develop criteria for approval of courses and programs	20-7-301(5), MCA	
Develop a basis for apportionment of funds	20-7-301(6), MCA	
Develop a system of evaluation/consider current and projected workforce needs	20-7-301(7), MCA	

Duty	Citation	OPI Division of Program
Consult w/school boards re: loans from coal tax severance fund	20-9-466, MCA	Department of Admin/Brd. Of Public Ed
Collect and maintain curriculum guides and assist schools with instructional programs	20-7-113, MCA & 20-3-106(19), MCA	Department of Education Services
Recommend policies to BPE for gifted and talented programs	20-7-901, et. seq. MCA	EOE Division - Gifted and Training Program
Prescribe the method of identification and signals to be used by school safety patrols	20-3-106(27), MCA	Health Enhancement and Safety Division, Traffic Safety
Telecommunications responsibilities	20-32-102, MCA	Internet Services Bureau
Provide and keep official seal	20-3-105(4), MCA	Legal Division
Print School Laws of Montana, or supplement, if necessary	20-3-105(5)&(6), MCA	Legal Division
Counsel and advise County Supts on matters involving welfare of schools and answer questions regarding school law	20-3-105(8), MCA	Legal Division
Prescribe form and contents of and approve or disapprove interstate contracts	20-3-106(16), MCA	Legal Division
Approve or disapprove the conduct of school on a Saturday	20-3-106(17), MCA	Legal Division
Negotiate reciprocal tuition agreements with other states	20-3-106(3), MCA	Legal Division
Prescribe and enforce rules of practice and regulations for the conduct of hearings by all school officials of the state	20-3-107(3), MCA	Legal Division
Decide matters of controversy appealed from county supt or decision of county transportation committee	20-3-107, MCA	Legal Division
Review and comment on plan to create single-member trustee districts	20-3-337, MCA	Legal Division
Review school district boundary changes	20-6-215, MCA	Legal Division
Enter into reciprocal attendance agreements with states	20-5-314, MCA	Legal Division
Issue, renew or deny teacher certification and emergency authorization of employment	20-3-106(2), MCA	Legal Division and Educator Licensure
Recommend to BPE policies for issuance of educator license	20-4-102, MCA	Legal Division and Educator Licensure
Request the BPE to issue a letter of reprimand, suspend, revoke or deny a certificate	20-4-110, MCA	Legal Division and Educator Licensure
Review a school board's report of the suspension or termination or an educator, investigate allegations, dismiss or request action by BPE	20-4-110, MCA	Legal Division and Educator Licensure
License textbook dealers and initiate prosecution of violators	20-3-106(21), MCA &20-7-601 et.seq MCA	Legal Division/Receptionist
Provide schools with info and technical assistance to comply with student assessment rules and collect and summarize the results of the student assessments for BPE & legislature	20-3-106(28), MCA	Measurement & Accountability/Assessment

Duty	Citation	OPI Division of Program
Disclose school district assessment data to interested parties for test required by BPE	20-3-106(29), MCA	Measurement & Accountability/Assessment
Request, accept, deposit & approve expenditure of federal funds	20-3-106(14), MCA and 20-9-603, MCA	Operations Department and Education Services Department
Print and distribute reports and forms necessary for conduct of business by a district or school	20-3-105(3), MCA	Operations Department and Education Services Dept.
Preserve all books, educational media, instructional equipment and other articles of educational interest and value	20-3-105(2), MCA	Resource Center/OPI Records Management Committee
Administer school food service program	20-3-106(25), MCA	School Foods Program
Report to BPE re: all phases of school food program	& 20-10-201, MCA 20-10-201(4), MCA	School Foods Program
Supervise and coordinate the conduct of special education	20-3-106(23), MCA	Special Ed Division
recommend policies to BPE	20-7-403(1), MCA	Special Ed Division
administer policies adopted by BPE	20-7-403(2), MCA	
Adopt rules to implement BPE policies	20-7-414, MCA	
certify special ed teachers	20-7-403(3), MCA	
establish a procedure for school personnel to identify a child with a disability		
recommend type of Sp. Ed. Class or program needed and prepare guides for developing IEPs	20-7-403(4), MCA	
seek interdisciplinary assistance from public and private agencies in diagnosing, planning programs	20-7-403(5), MCA	
assist districts, institutions and other agencies in developing programs for disabled children	20-7-403(6), MCA	
approve spec. ed. programs	20-7-403(7), MCA	
provide technical assistance to administrators, teacher, trustees	20-7-403(8), MCA	
conduct conferences, offer advice and cooperate w/parents	20-7-403(9), MCA	
ensure appropriate training and material for surrogates	20-7-403(10), MCA	
ensure that requirements of IDEA are met	20-7-403(11), MCA	
contract for the delivery of audiological services	20-7-403(12), MCA	
contract with districts or residential facilities for provision of FAPE to children in residential facilities or psychiatric hospitals	20-7-403(13), MCA	
	20-7-403(14), MCA	
Assist school districts in discovering children in need of special education in cooperation with DPHHS & MSDB	20-7-404, MCA	Special Education Division
Establish rules for special education services	20-7-414, MCA	Special Education Division

Duty

May contract for provision of educational programs for eligible child in-state psychiatric hospital or treatment facility

Administer the distribution of state and county equalization aid
Resolve controversy resulting from proration of costs by a joint board of trustees under 20-3-362, MCA

Prescribe and furnish annual report forms for districts and county superintendents

Approve, disapprove or adjust an increase in ANB

Review applications for increased ANB

Distribute BASE aid special ed allowable cost payments Adopt rules for keeping necessary records and accounting Prepare and distribute forms for the annual accounting

Administer the distribution of GTBA

Approve or disapprove school isolation

Supervise school budgeting procedures, prescribe budget format

Establish a system of communication for calculating joint district revenue

Supervise school financial administration provisions

Determine per-ANB entitlement under mandatory out-of-district enrollment

Approve or disapprove the adoption of a district's budget amendment resolution and adopt rules for application for additional direct state aid

Establish reporting requirements and prepare forms for submission of annual financial report of county supt

Collect semi-annual enrollment data from districts

Determine and distribute school facilities entitlement funds

Provide statements of estimated amounts in connection with bond elections

Approve or disapprove opening or reopening schools

establish annual entitlement for each district and county

limit the distribution to amount appropriated for eligible dist.

distribute BASE aid and stated advances for county equal.

keep record of all funds available for equalization/BASE aid

report to BPE the amount available for equalization aid

report to OBPP funds distributed and available

Serves as a member of the Board of State Canvassers

Serves as a member of the education commission

Address public assemblies on subjects pertaining to education in Montana

Call annual meeting of County Supts when advisable

State Supt is a member of the Interagency Coordinating Council for Prevention Programs

Citation

20-7-435, MCA

20-9-346, MCA

20-3-106(1), MCA

20-3-106(10), MCA

20-3-106(11), MCA

20-9-314, MCA

20-3-106(12), MCA

20-3-106(30), MCA

& 20-9-369, MCA

20-3-106(5), MCA

& 20-9-302, MCA

20-3-106(6), MCA

20-3-106(7), MCA

20-3-106(9), MCA

20-5-324, MCA

20-9-163, MCA &

30-3-106(8), MCA

20-9-211, MCA

20-9-311, MCA

20-9-371, MCA

20-9-422, MCA

20-3-106(4), MCA

& 20-6-502, MCA

20-9-346(1), MCA

20-9-346(2), MCA

20-9-346(3), MCA

20-9-346(4), MCA

20-9-346(5), MCA

20-9-346(6), MCA

13-15-502, MCA

20-2-501, MCA

20-3-105(10), MCA

20-3-105(9), MCA

2-15-225, MCA

OPI Division of Program

Special Education Division

State Distributions to School Division

State Distributions to Schools Division

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State Distributions to Schools Division

State Distributions to Schools Division and Accreditation

State Distributions to Schools Division

State Superintendent

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Duty

Serves as a member of the State Library Commission

Keep a record of official acts and documents, preserve official reports
Publish biennial report

Administer traffic education program
~~Develop, administer and supervise traffic ed program~~

Advise the BPE re: school bus standards
Establish the validity of claims for state transportation reimbur.
Provide for uniform and equal provision of transportation

Prescribe rules and forms for implementation and admin. of transportation policies adopted by BPE
Prescribe rules for approval of school bus routing
Prescribe format of contract for individual transportation
Prescribe rules for approval of individual transportation contracts and provide degree of isolation chart to districts as a guide
Approve, disapprove, or adjust all school bus routing
Approve, disapprove, or adjust all individual trans. contracts
Prescribe rules for controversies and rule on controversies
Disburse state transportation reimbursement

Citation

22-1-101, MCA

20-3-105(1), MCA
20-3-105(7), MCA

20-3-106(24), MCA
~~20-7-501(1), MCA~~

20-10-111, MCA
20-10-145, MCA
20-3-106(13), MCA
& 20-110-112, MCA

20-10-112(1), MCA
20-10-112(2), MCA
20-10-112(3), MCA

20-10-112(4), MCA
20-10-112(5), MCA
20-10-112(6), MCA
20-10-112(7), MCA
20-10-112(8), MCA

OPI Division of Program

State Superintendent

Superintendent's personal staff
Superintendent's personal staff

Traffic Education Program

Transportation Program
Transportation Program
Transportation Program

Transportation Program